

**UNITED STATES DISTRICT COURT**  
for the  
**MIDDLE DISTRICT of PENNSYLVANIA**

Daryl Smith )  
    Plaintiff         )  
    v.                 )  
Atlas Fitness Incorporation Systems, et al.     )  
    Defendant         )

Civil Action No. 1:10-CV-01021  
Judge Christopher C. Conner  
Magistrate Judge Martin C. Carlson

**SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*)

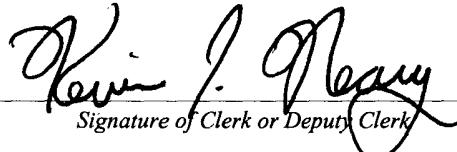
**Atlas Fitness Incorporation Systems, Ballys Fitness**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**CLERK OF COURT, MARY E. D'ANDREA**

  
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*Karen J. Neary*  
Signature of Clerk or Deputy Clerk

Date: 5/14/10